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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,711	05/03/2001	Mary Thomas Robb	10006616-1	7927

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EXAMINER

LIN, KELVIN Y

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/848,711

**Applicant(s)**

ROBB ET AL.

**Examiner**

Kelvin Lin

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/3/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## Detailed Action

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Koseki et al., (US Patent 6732124).
2. Regarding claim 1, Koseki teaches a method for logging events independently and separately from other processes in a computer system, comprising: (Koseki, col. 12, l.25, col. 49, l. 14)
  - i. Initiating an event, wherein the event is a process executed on a computer system;(Koseki, col.9, l.13-15, l.36-38)
  - ii. Creating a log entry, wherein the log entry comprises information that describes the event;(Koseki, col. 9, l.16-17, col.30, l. 9-11)
  - iii. Requesting that the log entry information be written to a log file, whereby the consumer surrenders control of the log entry, pausing execution of the event (Koseki, col. 6, l.19-20,col. 10, l. 47-57); and
  - iv. Releasing control of the log entry to the consumer, so that execution of the event can resume, prior to writing the log

entry information to the log file, wherein releasing control of the log entry to the consumer comprises: (Koseki, col. 6, l.19-20,,col. 10, l. 27-28)

(1) Cloning the log entry, wherein the log entry clone is a copy of the log entry that comprises the log entry information. (Koseki, col. 10, l. 27-28)

3. Regarding claim 2, Koseki further discloses the method of claim 1, wherein he cloning step is performed by a multiple-thread log manager. (Koseki, col 15, l. 40-45).
4. Regarding claim 3, Koseki further discloses the method of claim 1, further comprising:
  - Queuing the log entry clone in a queue that determines when the log entry information is written to the log file (Koseki, col. 44, l. 39)
5. Regarding claim 4, Koseki further discloses the method of claim 3, wherein the queue is a first in, first out queue – as described in Microsoft computer dictionary 5<sup>th</sup> edition “ queue follows a first in, first out constraint” - (Koseki, col. 44, l.39).
6. Regarding claim 5, Koseki further discloses the method of claim 3, wherein at some time the log entry clone has a turn, the method further comprising:
  - Determining if the log entry clone is next in the queue; (Koseki, col.10, l. 40-43) and

- If the log entry clone is next in the queue, writing the log entry information to log file (Koseki, col. 10, l.43-46).
7. Regarding claim 6, Koseki further discloses the method of claim 1, wherein the log entry is an object comprising attributes populated with the log entry information (Koseki, col 30, l.9-11).
  8. Regarding claim 7, Koseki further discloses the method of claim 1, wherein the event is a configuration event (Koseki, col. 22, l. 24-26).
  9. Regarding claim 8, Koseki further discloses the method of claim 1, wherein the consumer is a client (Koseki, col.50, l.32-34).
  10. Regarding claim 9, Koseki further discloses the method of claim 1, wherein the event is a task event, the method further comprising:
    - Starting a log transaction, wherein starting a log transaction comprises a consumer sending a message that a sequence of related task log entries are to be sent. (Koseki, col. 11, l.26-28)
  11. Regarding claim 10, Koseki further discloses the method of claim 9, further comprising:
    - Determining if the task event has ended, wherein the end of the task event comprises the completion of the task event or a failure to complete the task event (Koseki, col. 14, l.28-33);
    - and

- If the task event has ended, terminating the log transaction, wherein terminating the log transaction indicates that a sequence of log entries associated with the task event has ended and that the log file may be rolled-over without interrupting logging of the task event.(Koseki, col. 18, l.65-67)

12. Regarding claim 11, Koseki further discloses the method of claim 9, wherein the consumer is a task manager (Koseki, col. 39, l.46-49)
13. Regarding claims 12-16 have similar limitation as claims 1, 3, 5, 6, Therefore, claims 12-16 are rejected under Koseki for the same reason set forth in the rejection of claims 1, 3, 5, 6.
14. Regarding claim 17, Koseki further discloses a computer system that supports logging events independently and separately from other processes in a computer system, comprising:
  - A memory, that stores an application (Koseki, col. 50, l.36-37).
  - A secondary storage device comprising a log file (Koseki, col. 51, l.64).
  - A processor that runs the application, wherein the application comprises:
    - 1) A consumer, wherein the consumer initiates an event that is a process executed by the processor,

creates a log entry comprising  
information be written to the log file  
(Koseki, col. 39, l.46-49)

2) A multiple-threaded log manager,  
wherein the log manager, independently  
and separately from other processes,  
logs events, (Koseki, col. 5, l.27-30) by:

i) Receiving the log  
entry from the consumer,  
thereby obtaining control  
of the log entry and  
pausing execution of the  
event (Koseki, col. 7, l. 11-  
13);

ii) And releasing  
control of the log entry to  
the consumer, so that  
execution of the event can  
resume, prior to writing the  
log entry information to the  
log file (Koseki, col. 10, l.  
27-33).

15. Regarding claim 18, Koseki further discloses the computer system of

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claim 17, wherein releasing control of the log entry to the consumer comprises:

- The log manager cloning the log entry, wherein the log entry clone is a copy of the log entry that comprises the log entry information (Koseki, col. 10, l. 28).

16. Regarding claim 19, Koseki further discloses the computer system of Claim 17, wherein the consumer is a task manager (Koseki, col. 39, l.46-49)
17. Regarding claim 20, Koseki further discloses the computer system of claim 17, wherein the log entry is an object that comprises attributes which are populated with the log entry information (Koseki, col. 30, l. 9-11).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to application's disclosure.

- Krause, (Patent No. 6047323) Creation and Migration of Distributed Streams in Clusters of Networked Computer.
- Barry et al. , (Patent No. 6615258) Integrated Customer Interface for Web Based Data Management
- Bowman-Amush, (Patent No. 6529948) Multi-object fetch component



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- Burke et al., (Patent No. 5327558) Method for asynchronous application communication
- NPL – Malkawi et al., Process Migration in Virtual Memory Multicomputer System, 1993, IEEE

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 703-605-1726. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JACK B. HARVEY  
SUPERVISORY PATENT EXAMINER

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8/4/2004